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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 BRUCE CORKER, *et al.*,

9 Plaintiffs,

10 v.

11 COSTCO WHOLESALE CORPORATION,  
*et al.*,

12 Defendants.  
13

NO. C19-0290RSL

ORDER DENYING MOTION FOR  
LEAVE TO FILE A SECOND  
DISPOSITIVE MOTION

14 This matter comes before the Court on the “Supplier Defendants’ Motion for Leave to  
15 File Motion for Partial Summary Judgment on Kona “Blend” Products.” Dkt. # 121.<sup>1</sup> The motion  
16 is DENIED. Local Civil Rule 7(e)(3) precludes the filing of “contemporaneous dispositive  
17 motions, each one directed toward a discrete issue or claim,” absent leave of the Court. The  
18 supplier defendants currently have a pending motion to dismiss. Although they argue that a  
19 second dispositive motion should be permitted because (1) the filing will not have the effect of  
20 circumventing the page limitations imposed by the Court and (2) a second motion was required  
21 because the motion for summary judgment will rely on evidence while the pending motion to  
22 dismiss does not, neither argument is persuasive. The supplier defendants’ motions are a  
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25 <sup>1</sup> The supplier defendants filing the motion are Hawaiian Isles Kona Coffee Company, Ltd., BBC  
26 Assets, LLC, L&K Coffee Co. LLC, Copper Moon Coffee, LLC, Gold Coffee Roasters, Inc., and  
27 Cameron’s Coffee and Distribution Company.

1 combined 38 pages, well beyond the 24-page limit of Rule 7(e). The Court regularly hears  
2 motions that involve more than one standard of review and is capable of considering matters  
3 outside the pleadings only where appropriate.<sup>2</sup>  
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5 The supplier defendants could have and should have raised their laches argument in their  
6 pending dispositive motion. Multiple motions at this point in the proceeding are not justified.  
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8 Dated this 23rd day of August, 2019.

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10 Robert S. Lasnik  
11 United States District Judge  
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26 <sup>2</sup> Motions to dismiss or, in the alternative, for summary judgment are common, as are motions to  
27 dismiss that raise both personal jurisdiction and Twombly issues.